

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Yvo Maria Franciscus Graus et al.)	Examiner:
)	Christopher Robin Tate
Serial No.: 10/612,242)	
)	Art Unit: 1655
Filed: July 2, 2003)	
)	Conf. No.: 3317
Title: CHLOROGENIC ACID AND AN ANALOG)	
THEREOF FOR IMMUNE SYSTEM)	
STIMULATION)	

Commissioner for Patents
Mail Stop Issue Fee
P.O. Box 1450
Arlington, VA 22313-1450

COMMUNICATION REGARDING PATENT TERM ADJUSTMENT

Applicants believe that the patent term adjustment calculated for the present application is incorrect. Applicants were given 501 days of patent term extension when, in fact, Applicants believe they are entitled to fewer days.

The relevant dates under 37 C.F.R. §§ 1.703 and 1.704 are as follows:

Event	Date	Days Late/ Applicants	Days Late/ PTO
Filing date	July 2, 2003		
14 months after filing date	September 2, 2003		
Restriction Requirement	February 23, 2006		532
Response to Restriction Requirement	June 23, 2006	92	
Office Action	August 2, 2006		0
Amendment and Response to Office Action	November 2, 2006	0	
Final Office Action	January 12, 2007		0

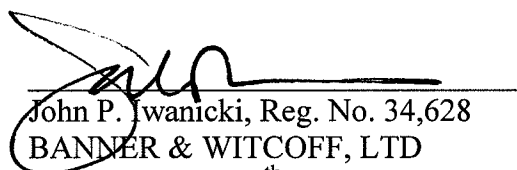
Amendment and Response to Final Office Action and RCE	April 12, 2007	0	
Notice of Allowance	July 9, 2007		0
Totals		92	532
			-92
Total Patent Term Adjustment			440

The Patent Term Adjustment History found on PAIR lists a notes that an extension of time was requested with the Response to Restriction Requirement as submitted on June 23, 2006, but adjustment for late-filing of the response was only 31 days, instead of the correct 92 days. Accordingly, Applicants are entitled to a Patent Term Adjustment of only 440 days, instead of the 501 listed on the Determination of Patent Term Adjustment. A copy of the Determination of Patent Term Adjustment is attached.

As Applicants submit this communication in good faith for the Office's error in calculating the adjusted patent term and no additional time is sought to the patent term, no fee is due.

Respectfully submitted,

Dated: September 24, 2007


 John P. Iwanicki, Reg. No. 34,628
 BANNER & WITCOFF, LTD
 28 State Street, 28th Floor
 Boston, MA 02109
 (617) 720-9600